

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Roberto GIARDINO et al

Serial No.: 10/578,658

Int'l. Appln. No.: PCT/EP2004/052914

For: ELECTROMAGNETIC FIELD STIMULATOR DEVICE FOR ANATOMIC
BIOPHYSICAL CHONDROPROTECTION**Confirmation No. 1766**

Date: December 1, 2006

Group Art Unit:

Int'l. Filing Date: 10 November 2004

VIA EFS WEB

Mail Stop Missing Parts (PCT)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) mailed November 21, 2006, submitted herewith is the Inventor's Declaration. The amount of \$130.00 (large entity) in payment of the surcharge due is also submitted electronically herewith.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.

If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM
ON DECEMBER 1, 2006



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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/578,658	FIRST NAMED APPLICANT Roberto Giardino	ATTY. DOCKET NO. P252840
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FILE NO. 712528-40
21-JAN-2007 MM
PATENTS ORDERED MM

INTERNATIONAL APPLICATION NO. PCT/EP04/52914	
I.A. FILING DATE 11/10/2004	PRIORITY DATE 11/11/2003

CONFIRMATION NO. 1766

371 FORMALITIES LETTER



OC000000021294566

Date Mailed: 11/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/09/2006
- Copy of the International Search Report filed on 05/09/2006
- Copy of IPE Report filed on 05/09/2006
- Copy of Annexes to the IPER filed on 05/09/2006
- Preliminary Amendments filed on 05/09/2006
- Information Disclosure Statements filed on 05/09/2006
- Oath or Declaration filed on 05/09/2006
- Request for Immediate Examination filed on 05/09/2006
- U.S. Basic National Fees filed on 05/09/2006
- Priority Documents filed on 05/09/2006
- Specification filed on 05/09/2006
- Claims filed on 05/09/2006
- Drawings filed on 05/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

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or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because Annexes are not page for page substitution..

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAYA L LEWIS BALTIMORE

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,658	PCT/EP04/52914	P252840